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Amendment No. 1 to HB0669

**Armstrong
Signature of Sponsor**

AMEND Senate Bill No. 1023

House Bill No. 669*

by deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. This act shall be known and may be cited as the "Consumer Protection Act for Wheeled Mobility".

SECTION 2. Tennessee Code Annotated, Section 68-11-201, is amended by adding the following new items thereto to be appropriately designated:

() "Assistive technology supplier (ATS)" means service providers involved in the sale and service of commercially available wheeled mobility devices;

() "Assistive technology practitioner (ATP)" means service providers primarily involved in evaluating the consumer's needs and training in use of a prescribed wheeled mobility device;

() "Credentialed Wheeled Mobility Person" means:

(A) a health care professional licensed under Title 63;

(B) an individual who has appropriately obtained the designation of ATS or ATP, meeting all requirements thereof, as established by the Rehabilitation Engineering and Assistive Technology Society of North America (RESNA), or

(C) an individual who has met the following requirements:

(i) Provide documentation to prove completion of at least fifteen (15) hours of continuing education within the twelve (12) months immediately prior to July 1, 2004, and all other subsequent years thereafter by June 30, in the field of seating and wheeled mobility, which may include, but is not limited to, the following:

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- (a) Courses by health care professionals,
- (b) Courses by health care associations,
- (c) Courses by a college or university,
- (d) Courses by manufacturers,
- (e) In-service training by manufacturers, or
- (f) Attendance at symposiums or conferences.

(ii) Provide proof of at least one (1) year's experience in the field of rehabilitation technology; and

(iii) Provide three (3) recommendations from health care professionals licensed under title 63 who can attest to the skills of the provider in seating and wheeled mobility.

() "Evaluation" means the determination and documentation of the physiological and functional factors that impact the selection of an appropriate seating and wheeled mobility device; and

() "Wheeled mobility device" means a wheelchair or wheelchair and seated positioning system prescribed by a physician and required for use by the patient for a period of six months or more. The following Medicare wheelchair base codes are exempt: K0001, K0002, K0003, K0004, and K0006.

SECTION 3. Tennessee Code Annotated, Section 68-11-226, is amended by adding the following language as new subsection (d):

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(d) (1) On and after July 1, 2004, all home care organizations providing prescribed wheeled mobility devices in this state shall have on staff a credentialed wheeled mobility person.

(2) Starting July 1, 2004, home care organizations shall obtain a complete written evaluation and recommendation by a credentialed wheeled mobility person or physical therapist (PT) or occupational therapist (OT) for recipients of prescribed wheeled mobility devices.

(3) Starting January 1, 2007, home care organizations shall obtain a complete written evaluation and recommendation by a credentialed wheeled mobility person who shall be, at a minimum, a health care professional licensed under title 63, or a person who has appropriately obtained the designation of ATP or ATS, for recipients of prescribed wheeled mobility devices.

SECTION 4. This act shall take effect July 1, 2003, the public welfare requiring it.